



PATENT  
Attorney Docket 045636-5070

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: <b>Pierre Hoerner <i>et al.</i></b>	)	Group Art Unit: 1772
	)	
Application No. 10/630,923	)	Examiner: <b>Sandra M. Rayford</b>
	)	
Filed: <b>July 31, 2003</b>	)	Allowed: <b>July 5, 2005</b>
	)	
For: <b>Multilayer Elastomeric Material Containing</b>	)	Confirmation No. <b>7579</b>
<b>Active Chemical Substance, and Uses Thereof</b>	)	

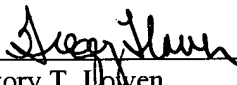
COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowability dated July 5, 2005, the following comments are submitted under 37 C.F.R. 1.104(e).

While Applicants believe that the claims are allowable and patentably distinguishable over the prior art, Applicants do not acquiesce that patentability resides in each feature, exactly as expressed in the claims, nor that each and every feature is required for patentability. Applicants submit that patentability is based on the claimed invention as a whole, and not solely on one or more particular features recited in the allowed claims.

Dated: **October 3, 2005**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
\_\_\_\_\_  
Gregory T. Iloven  
Registration No. 46,882



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TRANSMITTAL FORM

1. Transmitted herewith is the Issue Fee Transmittal (PTOL-85B).
2. Additional Papers Submitted:  
(i) Comments on Statement of Reasons for Allowance
3. Fee Payment: The Commissioner is hereby authorized to charge **\$1,709.00** to Deposit Account No. 50-0310 for payment of the Issue Fee (\$1,400.00), the publication fee (\$300.00) and advance order of three soft copies of the issued patent (\$9.00).
4. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **October 3, 2005**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202-739-3000  
Fax: 202-739-3001

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
\_\_\_\_\_  
Gregory T. Lowen, Ph.D.  
Registration No. 46,882  
Tel: 202-739-5915